

IN THE UNITED STATES BANKRUPTCY COURT
IN THE SOUTHERN DISTRICT OF MISSISSIPPI

IN RE: DAVID PHILLIPS, JR.
1120 MILLER LN
WESSON, MS 39191

CASE NO. 23-01316-JAW

TRUSTEE'S NOTICE AND MOTION TO DISMISS

COMES NOW, Torri Parker Martin, the duly appointed and qualified Standing Trustee in the above cause and moves to dismiss the above proceeding for the reason that the debtor has failed to make payments into the plan as required by Chapter 13 of the Bankruptcy Code.

NOTICE IS HEREBY GIVEN, to the Debtor(s) herein, that unless the sum of **\$3,524.20**, the amount due through the end of the month, plus accruing payments is received by the Trustee on or before **April 30, 2024** or a written responsive pleading is filed with the Clerk of the Court with a copy to the Trustee within twenty-one days of this Notice, the Chapter 13 proceeding of the above Debtor(s) will be dismissed.

NOTICE IS FURTHER GIVEN that, in the event a written responsive pleading is filed, a trial on the matter will be held in the U.S. Federal Courthouse, in Bankruptcy Courtroom Number 4C, 501 East Court Street, Jackson, Mississippi 39201 on **May 19, 2025 at 10:00 A.M.**

WHEREFORE, Trustee moves this Court to enter an Order Dismissing Case. Alternatively, should debtor(s) submit necessary funds and/or file responsive pleading as stated herein and subsequently become sixty (60) days delinquent in monthly payments as calculated from the first day of the first delinquent month, the Trustee may submit an Order of Dismissal without further notice or hearing.

Dated: April 22, 2025

/ Torri Parker Martin
Torri Parker Martin, MSB #103938
Standing Chapter 13 Trustee
200 North Congress St., Suite 400
Jackson, MS 39201

MAIL PAYMENTS TO:
P. O. Box 2033
Memphis, TN 38101
Email: tpm@tpmartinch13.com

CERTIFICATE OF SERVICE

I, Torri Parker Martin, Standing Trustee, do hereby certify that on the above date of the Notice and Motion to Dismiss, I mailed and/or electronically submitted, via postage prepaid and/or ECF Systems, a true and correct copy of the foregoing Notice and Motion to Dismiss to the Debtor, to the Attorney for the Debtor herein and to the Office of the United States Trustee.

Dated: April 22, 2025

/s/ Torri Parker Martin

Torri Parker Martin, MSB #103938
Standing Chapter 13 Trustee

Debtor's Attorney:

Thomas Carl Rollins, Jr., Esq., MSB #103469

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Debtor:

DAVID PHILLIPS, JR.

1120 MILLER LN

WESSON, MS 39191